



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Ellis Reinherz, Linda Clayton, Timothy D. Ocain and Raymond J. Patch  
Application No.: 08/948,124 Group: 1642  
Filed: October 9, 1997 Examiner: Christopher H. Yaen  
Confirmation No.: 6658  
For: METHODS OF IDENTIFYING AGENTS WHICH ENHANCE  
CASPASE ACTIVITY (As Amended)

CERTIFICATE OF MAILING OR TRANSMISSION	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on:	
5/18/05	<i>Linda Woodhouse</i>
Date	Signature
LINDA WOODHOUSE	
Typed or printed name of person signing certificate	

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REPLY TO NOTICE UNDER 37 C.F.R. §1.251 - PENDING APPLICATION

Mail Stop RECONSTRUCTION

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This reply is being filed in response to the Notice under 37 C.F.R. §1.251 - Pending Application, mailed from the U. S. Patent and Trademark Office on February 18, 2005 in the above-identified application.

Submitted herewith is a listing of correspondence to and from the PTO and copies of related documents, along with a statement executed by the undersigned as to the completeness and accurateness of the contents (PTO Form 2053-B). The attached listing includes a section that itemizes the documents that Applicants have in their file wrapper which are not listed on the

PALM report. It is further noted that Applicants' file does not have a copy of the "Examiner Interview Summary Record" dated November 20, 2002 (PALM report).

Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 08-0380. A copy of this letter is enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By \_\_\_\_\_

Alice O. Carroll  
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Date: May 18, 2005

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Attn: *Reynolds*  
TC 1600

PTO-2053-B (Rev. 10/03)

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**In re Application of:** Ellis Reinherz, Linda Clayton, Timothy D. Ocain  
and Raymond J. Patch

**Application No.:** 08/948,124

**Filing Date:** October 9, 1997

**Title:** METHODS OF IDENTIFY\*NG AGENTS WHICH ENHANCE  
CASPASE ACTIVITY (As Amended)

**Direct to:** Mail Stop RECONSTRUCTION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

### NOTICE UNDER 37 CFR 1.251 - Pending Application

**Statement (check the appropriate box):**

- ☒ The copy submitted with this reply is a complete and accurate copy of applicant's record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), and applicant is not aware of any correspondence between the Office and applicant for the above-identified application that is not among applicant's records, except as provided for on the accompanying listing.
- ☐ The copy of the paper(s) listed in the notice under 37 CFR 1.251 is/are a complete and accurate copy of applicant's record of such paper(s).
- ☐ The papers produced by applicant are applicant's complete record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), and applicant is not aware of any correspondence between the Office and the applicant for the above-identified application that is not among applicant's records.
- ☐ Applicant does not possess any record of the correspondence between the Office and the applicant for the above-identified application.

May 18, 2005  
Date

*Alice O. Carroll*  
Signature  
Alice O. Carroll  
Typed or printed name

**A copy of this notice should be returned with the reply.**

**Burden Hour Statement:** This collection of information is required by 37 CFR 1.251. The information is used by the public to reply to a request for copies of correspondence between the applicant and the USPTO in order to reconstruct an application file. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 60 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, Virginia 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.**

List of Documents To and From the PTO

## To the PTO:

1. Amendment E, mailed on January 2, 2003
2. Petition for Extension of Time, mailed January 2, 2003
3. Transmittal of Amendment E, mailed January 2, 2003
4. Facsimile Cover Sheet for paper: RCE, Amendment, Marked up Version of Amendments. Fee Transmittal, Extension of Time, dated April 17, 2002
5. Petition for Extension of Time, sent via facsimile on April 17, 2002
6. RCE Transmittal, sent via facsimile on April 17, 2002
7. Transmittal of Amendment D, sent via facsimile on April 17, 2002
8. Amendment D, sent via facsimile on April 17, 2002
9. Amendment After Final Rejection under 37 C.F.R. 1.116, mailed September 14, 2001
10. Transmittal of Amendment After Final Rejection, mailed September 14, 2001
11. Supplemental Information Disclosure Statement with Form 1449, mailed September 14, 2001 with non-patent references
12. Amendment C, mailed December 20, 2000
13. Transmittal of Amendment C, mailed December 20, 2000
14. Petition for Extension of Time, mailed December 20, 2000
15. Third Supplemental Information Disclosure Statement with Form 1449, mailed December 20, 2000 with non-patent references
16. Transmittal Letter for Inventorship Amendment and Petition for Correction of Inventorship, mailed March 13, 2000
17. Inventorship Amendment under 37 C.F.R. §1.48(b), mailed March 13, 2000
18. Petition for Correction of Inventorship under 37 C.F.R. §1.48(b), mailed March 13, 2000
19. Change of Correspondence Address, mailed on February 28, 2000
20. Petition for Extension of Time, mailed on February 28, 2000
21. Transmittal of Amendment B, mailed February 28, 2000
22. Amendment B, mailed February 28, 2000
23. Petition for Extension of Time, mailed August 3, 1999
24. Transmittal of Amendment A, mailed August 3, 1999
25. Amendment A, mailed August 3, 1999
26. Transmittal of Verified Statements Claiming Small Entity Status, mailed May 12, 1998
27. Verified Statement Claiming Small Entity Status - Dana-Farber Cancer Institute
28. Verified Statement Claiming Small Entity Status - Procept, Inc.
29. Declaration for Patent Application
30. Copy of Notice to File Missing Parts of Application (NTFMP)
31. Copy of Postcard Receipt for Verified Statements, Declaration/POA, Notice to File Missing Parts of Application and Petition for Extension of Time, mailed May 11, 1998 and received at PTO on May 14, 1998
32. Petition for Extension of Time, mailed May 11, 1998
33. Copy of check to PTO for NTFMP dated May 11, 1998, in the amount of \$867.00
34. Copy of cancelled check receipt for NTFMP
35. Assignment Recordation Form dated December 15, 1998
36. Assignment from Procept, Inc. to Dana-Farber Cancer Institute

37. Copy of postcard receipt for Recording Assignment, mailed December 5, 1998
38. Second Supplemental Information Disclosure Statement with Form 1449 mailed November 20, 1998 with non-patent references
39. Petition for Extension of Time, mailed November 13, 1998
40. Reply to Restriction Requirement, mailed November 13, 1998
41. First Supplemental Information Disclosure Statement with Form 1449, mailed July 10, 1998 with copy of International Search Report with non-patent references
42. Transmittal of Sequence Listing and Preliminary Amendment to Comply with 37 C.F.R. §§ 1.821-1,825, mailed June 16, 1998 with computer listing
43. Information Disclosure Statement with Form 1449, mailed June 10, 1998 with non-patent references
44. Assignment Recordation Cover Sheet with copy of executed assignment, mailed May 11, 1998 (Timothy D. Ocain and Raymond J. Patch)
45. Assignment Recordation Cover Sheet with copy of executed assignment, mailed May 11, 1998 (Ellis Reinherz and Linda Clayton)
46. Transmittal of Filing Fee and Declaration/Power of Attorney in Response to Notice to File Missing Parts of Application, mailed May 11, 1998
47. Declaration for Patent Application, mailed May 11, 1998
48. Copy of Notice to File Missing Parts of Application
49. Transmittal of Verified Statements Claiming Small Entity Status, mailed May 11, 1998
50. Verified Statement Claiming Small Entity Status - Dana-Farber Cancer Institute
51. Verified Statement Claiming Small Entity Status - Procept, Inc.
52. Transmittal of Continuation Application, Express Mail on October 9, 1997
53. Copy of Continuation Application as filed

From the PTO:

1. Notice Under 37 C.F.R. 1.251 - Pending Application
2. Office Action dated July 2, 2002
3. Advisory Action dated October 15, 2001
4. Final Office Action dated March 14, 2001
5. Office Action dated October 26, 1999
6. Recorded Assignment from Procept, Inc. to Dana-Farber Cancer Institute
7. Office Action dated February 3, 1999
8. Office Action (Restriction Requirement) dated September 19, 1998
9. Recorded Assignment from Timothy D. Ocain and Raymond J. Patch to Procept, Inc.
10. Recorded Assignment from Ellis Reinherz and Linda Clayton to Dana-Farber Cancer Institute
11. Notice to File Missing Parts of Application
11. Filing Receipt

Documents Listed Above but not logged into PALM:

3. Transmittal of Amendment E, mailed January 2, 2003
7. Transmittal of Amendment D, sent via facsimile on April 17, 2002
10. Transmittal of Amendment After Final Rejection, mailed September 14, 2001
13. Transmittal of Amendment C, mailed December 20, 2000
16. Transmittal Letter for Inventorship Amendment and Petition for Correction of Inventorship, mailed March 13, 2000
17. Inventorship Amendment under 37 C.F.R. §1.48(b), mailed March 13, 2000
18. Petition for Correction of Inventorship under 37 C.F.R. §1.48(b), mailed March 13, 2000
21. Transmittal of Amendment B, mailed February 28, 2000
24. Transmittal of Amendment A, mailed August 3, 1999
26. Transmittal of Verified Statements Claiming Small Entity Status, mailed May 12, 1998
27. Verified Statement Claiming Small Entity Status - Dana-Farber Cancer Institute
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